



The Scottish Parliament  
Pàrlamaid na h-Alba

Mairi Gougeon MSP  
Cabinet Secretary for Rural Affairs,  
Land Reform and Islands

By email only

**Net Zero, Energy and Transport  
Committee**

c/o Clerk to the Committee  
Room T3.40

The Scottish Parliament  
Edinburgh  
EH99 1SP

[netzero.committee@parliament.scot](mailto:netzero.committee@parliament.scot)

12 September 2023

Dear Mairi,

### **Scottish Land Commission – Appointment of Chair and Land Commissioners**

Thank you for your letter of 11 August 2023 outlining the Scottish Government's proposed approach to appointments to the Scottish Land Commission. This included consideration of draft role descriptions, person specifications, an appointment plan and a draft applicant information pack.

The Committee had agreed prior to the summer recess that it would like to review this information ahead of the applications process, as part of its role in scrutinising ministerial appointments to the Commission. I will write separately on the Committee's agreed approach to this and, as agreed, will not publish this material until the conclusion of the appointments process.

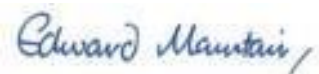
Via your officials, you requested the Committee provide a response by 12 September. This meant the Committee had only one opportunity to look at this letter; at its meeting on 5 September, as requested.

I note the receipt of further correspondence from you on 4 September relating to the extension of the tenure of the current chair. The timing of this letter was disappointing as it was not received in time for inclusion in papers for consideration at the meeting. Due to an all-day Committee event on Monday 4 September, the Committee was not, in fact, able to read the letter in advance of our deliberations at the 5 September meeting. This is especially unfortunate as, in my view, this new information was relevant to our overall consideration of the appointments process at that meeting.

Your letter states that Ministers can extend appointments without the approval of the Scottish Parliament in certain circumstances. I seek clarity on the

criteria for making such a decision without consulting Parliament and which of them applies in this instance. I also seek confirmation of when you took the decision to extend the tenure of the current Chair. Finally, I would welcome your view on whether this decision to extend the Chair's tenure required consultation with the Commissioner for Ethical Standards in Public Life in Scotland and if, whether this took place.

Yours sincerely,

A handwritten signature in blue ink that reads "Edward Mountain".

Edward Mountain MSP  
Convener

**Net Zero, Energy and Transport Committee**